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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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10-624,754 7-22-03 Coste

C. Mulchinski
The Aerospace Corporation
2350 East El Segundo Boulevard
MI/040
El Segundo, CA 90245

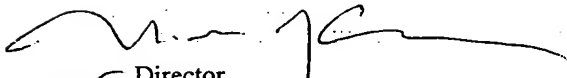
EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 12-29-03

RESCINDING ORDER

The Secrecy Order dated 12-9-03 prohibiting disclosure or publication of the subject matter of the above entitled application under the provisions of Title 35 United States Code (1952) 181-188 is hereby rescinded. Normal prosecution is continued and any suspension thereof because of the secrecy order should now be removed. This rescinding order does not affect the provisions of any classified government contract or existing laws relating to espionage and national security.


Director
Special Laws Administration Group

ATTN



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,754		Keith Coste	D-480	6502

7590

12/09/2003

C. Mulchinski
The Aerospace Corporation
2350 East El Segundo Boulevard
MI/040
El Segundo, CA 90245

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 12/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10-624,754	7-22-03	Coste	

EXAMINER	
ART UNIT	PAPER NUMBER

12-9-03

SECRECY ORDER RECEIPT

The Secrecy Order under Title 35, United States Code (1952) Sections 181-188, dated _____, with permit in the above-identified application is hereby acknowledged.

(signature) _____

(date) _____

(city) _____

(state) _____

Return only the upper portion to:

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ATTN: LICENSING & REVIEW**

TO THE APPLICANT ABOVE NAMED OR HIS OR HER HEIRS, AND ANY AND ALL ASSIGNEES AND ATTORNEYS OR AGENTS:

Enclosed is your copy of a Secrecy Order under Title 35, United States Code (1952), Sections 181-188. In order that the record of service of this Order may be completed as soon as possible, you are respectfully requested to fill out and personally sign the receipt above and promptly return it to the Commissioner of Patents and Trademarks.

Please advise of any change of address.

Licensing and Review:

UNITED STATES DEPARTMENT OF
COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND
COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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10-624,754 7-22-03 Coste

EXAMINER

ART UNIT

PAPER NO.

DATE MAILED: 12-9-03

SECURITY ORDER

For Unclassified Patent Application
with a DoD Property Interest

Including:

Permit for Disclosing Subject Matter for Legitimate Business Purposes;
Permit for Foreign Filing in Certain Countries

The above-identified patent application discloses subject matter the unauthorized publication or disclosure of which would, in the opinion of the sponsoring defense agency be detrimental to the national security.

ALL PRINCIPALS¹ IN THIS APPLICATION ARE ORDERED TO KEEP THE SUBJECT MATTER THEREOF IN SECURITY UNDER 35 U.S.C. §181.

The subject matter of this application may not be published or disclosed to any person except as specifically authorized herein or subsequently authorized by written modification of this Security Order granted by the Commissioner of Patents & Trademarks (see 37 CFR §5.5).

Unauthorized publication or disclosure of the subject matter of this patent application may result in abandonment of the patent application (35 U.S.C. §182) and additionally subject the person publishing or disclosing the subject matter to the penalties of 35 U.S.C. §186.

¹ "Principals" include all patent applicants, their heirs, assignees, licensees and their attorneys and agents.

General Provisions

Any other patent application already or hereafter filed in the U.S. or any foreign country which contains any significant part of the subject matter of the above-identified patent application also falls within the scope of this Order. If such other patent application is not currently under a Secrecy Order imposed by the U.S. Patent and Trademark Office, it and the common subject matter must immediately be disclosed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231, Attention: Licensing & Review.

This Secrecy Order was recommended to the Patent & Trademark Office by the following defense agency:

() ARMY

() NAVY

(X) AIR FORCE

Questions pertaining to the basis for imposing this Secrecy Order should be directed to the sponsoring defense agency. A contact for each defense agency is attached.

This Order should not be construed in any way to mean that the U.S. Government has adopted or contemplates adoption of the invention disclosed in this application and it is not any indication of the value of such invention.

Safeguarding Provisions

This application is unclassified, and thus not subject to the provisions of Executive Order 12356, entitled "National Security Information," Executive Order 10865, entitled "Safeguarding of Classified Information Within Industry" or the "Industrial Security Manual for Safeguarding Classified Information." However, since disclosure of the subject matter would be detrimental to the national security, it must be safeguarded under conditions that will provide adequate protection and prevent access by unauthorized persons. When copies of the subject matter are no longer needed, they should be destroyed by any method that will prevent disclosure of the contents or reconstruction of the document. While this Order remains in effect, all communications with the Patent & Trademark Office pertaining to this application must be addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231, Attention: Licensing & Review. Other questions pertaining to the security safeguarding of this application should be directed to the sponsoring defense agency.

Permit for Disclosing Subject Matter for Legitimate Business Purposes

The principals may disclose, for legitimate business purposes, the subject matter of this patent application to a U.S. citizen or to a person who is both admitted lawfully into the United States for permanent residence and is located in the United States provided the U.S. citizen or person is furnished with a copy of this Secrecy Order and is informed that this Secrecy Order is applicable to the subject matter disclosed. The term "legitimate business purposes" is to be interpreted consistent with 32 CFR Part 250. Legitimate business purposes include selling or producing products for the commercial domestic marketplace, or for the commercial foreign marketplace providing that any required export license is obtained. Legitimate business purposes also include selling or otherwise disclosing technical data to foreign contractors or foreign governments after receiving the required export license or approval by the U.S. Government.

The principals shall notify the Commissioner of Patents and Trademarks if a validated license is obtained from the Office of Export Administration, U.S. Department of Commerce, or a license is obtained from the Director, Office of Defense Trade Controls, U.S. Department of State, under regulations governing the export of technical data (15 CFR §379 of the Export Administration Regulations or 22 CFR §125 of the International Traffic in Arms Regulations).

Permit for Foreign Filing in Certain Countries

The principals are permitted, subject to the conditions stated hereinafter, to file and prosecute a corresponding application for patent in each of the following countries: Australia, Belgium, Canada, Denmark, France, Federal Republic of Germany, Greece, Italy, Japan, Korea, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Turkey and the United Kingdom.

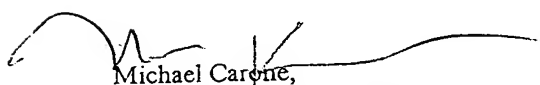
The papers for each foreign application and its prosecution shall be transmitted to the sponsoring agency, identified herein, for forwarding through diplomatic channels for filing in the foreign country either directly by the principals or through the principals' foreign patent attorney or agent if authorized by the foreign government. Correspondence exclusively relating to payments of taxes and fees need not be sent through the sponsoring agency and diplomatic channels provided that such correspondence contains no information pertaining to the subject matter of the above-identified application.

International reciprocal agreements providing for the filing of patent applications under a Secrecy Order in the above-identified countries require the principals to furnish to the sponsoring agency identified herein (in addition to the papers to be filed in the foreign patent office) a copy of the specification (including any drawings annexed thereto, any resume and the claims included in the patent application) filed in the patent office of the foreign country. This copy will be furnished to the appropriate defense agency of the foreign government for information only and without prejudice to any rights of the principals. The filing date and serial number of the patent application should also be furnished to the sponsoring agency.

The principals shall request the foreign patent office to place in secrecy the foreign patent applications corresponding to the above-identified application and shall furnish a copy of this Secrecy Order and permit with the first papers to be filed in the foreign patent office.

The use of this permit to file in a foreign country shall constitute a waiver, unless otherwise required by international agreements, of any claim to compensation for loss or damage due solely to the imposition of secrecy or similar treatment of the invention. Belgium, France, the Federal Republic of Germany, the Netherlands, Norway, Turkey and the United Kingdom normally require a separate document confirming such a waiver.

In the case of Japan, the applicant shall ensure in its contract with its patent attorney that the patent attorney shall submit to the Japanese Patent Office a certified copy of this Secrecy Order and Permit. The submission of this permit to the Japanese Patent Office is considered notification to the Government of Japan of the Secrecy Order status of the above-mentioned application and a corresponding Japanese application will be considered an Agreement Application referred to in paragraph 3(a) of the Protocol to the 1956 United States-Japan Agreement.


Michael Carone,
Licensing & Review Administrator
U. S. Patent & Trademark Office

DEFENSE AGENCY CONTACT LIST

Army: Diane Winters
US ARMY PATENT, COPYRIGHTS & TRADEMARKS DIVISION
OFFICE OF THE JUDGE ADVOCATE GENERAL
901 NORTH STUART ST.
ARLINGTON, VA 22203-1837
703-696-8113

NAVY: DAVE SPEVACK
OFFICE OF THE CHIEF OF NAVAL RESEARCH
INTELLECTUAL PROPERTY LAW DIVISION
ATTN: (OCCC12)
800 NORTH QUINCY STRET
ARLINGTON, VA 22217-5000
703-696-4007

AIRFORCE: TOM KUNDERT
AFMC LO/JAZ
2240 B STREET, ROOM 100
WRIGHT- PATTERSON AFB, OH 45433-7109
937-255-2838

DTRA: PETER SULLIVAN
400 ARMY NAVY DRIVE
SUITE 300
ARLINGTON, VA 22202
703-604-5215

DOE: BETTY WINCHESTER
U.S. DEPARTMENT OF ENERGY
OFFICE OF THE ASSISTANT GENERAL
COUNSEL FOR PATENTS (GS-42)
1000 INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20585
202-586-2810

KEITH COSTE
8395 CAPISTRANO AVENUE
WEST HILLS, CA 91304